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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

AVALON BROOKS,

Defendant.

) CASE NO. CR 17-0215 DMR
)
)
)

**STIPULATION AND ~~PROPOSED~~ ORDER
VACATING GUILTY PLEA AND DISMISSING
INFORMATION.**
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Plaintiff United States of America, by and through its counsel of record, the United States Attorney for the Northern District of California and Special Assistant United States Attorney Samantha Schott, and defendant Avalon Brooks (defendant), by and through her counsel of record, hereby stipulate as follows:

1. On or about October 17, 2017, defendant Brooks pleaded guilty pursuant to a plea agreement to the sole count of the Information, Obstruction of Mail, in violation of 18 U.S.C. § 1701. Defendant Brooks signed a diversionary plea agreement providing for withdrawal of the guilty plea and dismissal of the charge if defendant successfully completed diversion and satisfied her community service obligation.

2. Defendant Brooks has successfully complied with the terms of the diversion agreement

STIPULATION AND ~~PROPOSED~~ ORDER
CASE NO. CR 17-0215 DMR

1 and has satisfied her community service obligations.

2 3. Defendant Brooks now moves to withdraw her guilty plea to the violation of 18 U.S.C. §
3 1701.

4 4. The government agrees that Defendant Brooks has successfully completed the terms of
5 the diversion agreement and does not oppose Defendant's application to withdraw her guilty plea.

6 5. Upon the Court's withdrawal of Defendant's guilty plea, the government moves to
7 dismiss the Information against Defendant Avalon Brooks for the reasons stated above and pursuant to
8 Rule 48(a) of the Federal Rules of Criminal Procedure.

9 DATED: April 24, 2018

Respectfully Submitted,

10 ALEX G. TSE
11 Acting United States Attorney

12 /s/ Samantha Schott
13 SAMANTHA SCHOTT
14 Special Assistant United States Attorney

15 /s/ Angela Hansen
16 ANGELA HANSEN
17 Attorney for Avalon Brook

18 **~~PROPOSED~~ ORDER**

19 Good cause appearing, for the reasons stated above, the Court hereby orders that Defendant
20 Avalon Brooks' guilty plea, entered on October 17, 2017, be WITHDRAWN.

21 Upon withdrawal of Defendant Brooks' guilty plea, the Court hereby GRANTS the
22 government's motion to dismiss the Information against Defendant Avalon Brooks pursuant to Rule
23 48(a) of the Federal Rules of Criminal Procedure.

24 The Information against Defendant Avalon Brooks is hereby DISMISSED.

25 IT IS SO ORDERED.

26 DATED: April 25, 2018

27 
28 THE HONORABLE DONNA M. RYU
United States Magistrate Judge